

**RESOLUTION NO. 2008-30**  
**Petition for Review by Eastern Growth Management Board**

**A RESOLUTION**, authorizing a petition to the Eastern Washington Growth Management Hearing Board to overturn approval of five 2007 amendments to the Chelan County Comprehensive Plan.

**WHEREAS**, the City staff presented testimony before the Chelan County Planning Commission and Board of County Commissioners expressing opposition to the approval of 2007 Comprehensive Plan Amendments 011, 012, 018, 019 and 021; and

**WHEREAS**, these five amendments, if approved, would allow the construction of 328 homes on five sites totaling 1116 acres; and

**WHEREAS**, proposed homes would be served by on-site septic systems; and

**WHEREAS**, on-site septic systems, which will eventually fail, are not a modern sustainable means of ensuring public health, and

**WHEREAS**, the WA State Department of Ecology (DOE) identified septic systems as a potential source of the high fecal coliform bacteria levels found in the Wenatchee watershed. (Wenatchee River Watershed (WRIA 45) Fecal Coliform Total Maximum Daily Load Water Quality Report, Publication #07-10-009, January 2007, Schneider, D, J. Carroll, and S. O'Neal) and DOE has further noted a high concentration of individual and large community on-site septic systems along the length of the Wenatchee River which may be contributing to the nutrients causing dissolved oxygen and pH exceedances in the river. (Wenatchee River Basin Dissolved Oxygen, pH and Phosphorus Total Maximum Daily Load Study, Publication #06-03-018, April 2006, Carroll J., S. O'Neal, S. Golding); and

**WHEREAS**, these five comprehensive plan amendments would allow the development of cluster housing which would make it infeasible for the City of Wenatchee to provide public sewer and other urban services for any future developments located beyond these clusters; and

**WHEREAS**, these cluster developments by virtue of their proximity to each other constitute urban development and Chelan County has no known capacity to provide urban levels of service for police, fire, recreation, public transportation, school transportation and snow removal concurrent with new development; and

**WHEREAS**, encouraging the development of clusters outside of the UGA constitutes urban sprawl and diminishes the amount of land left for agriculture and open space.

**WHEREAS**, the approval of these Comprehensive Plan Amendments by the Chelan County Commission violates state planning goals (RCW 36.70A.020), to wit:

- 1) Encouraging development in urban areas where adequate public facilities and services exist.
- 2) Reduction of low density sprawl.
- 3) Encourage efficient multimodal transportation systems.
- 8) Encourage the conservation of productive forest and agricultural lands.
- 10) Protect the environment including water quality.
- 12) Ensuring the adequacy of public facilities and services necessary to support development.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE**, as follows:

The City staff is directed to file a petition for review and any other necessary documents with the Growth Management Hearing Board for Eastern Washington to declare invalid Chelan County 2007 Comprehensive Plan Amendments 011, 012, 018, 019 and 021.

**PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE** at a regular meeting therein, this 24 day of April, 2008.

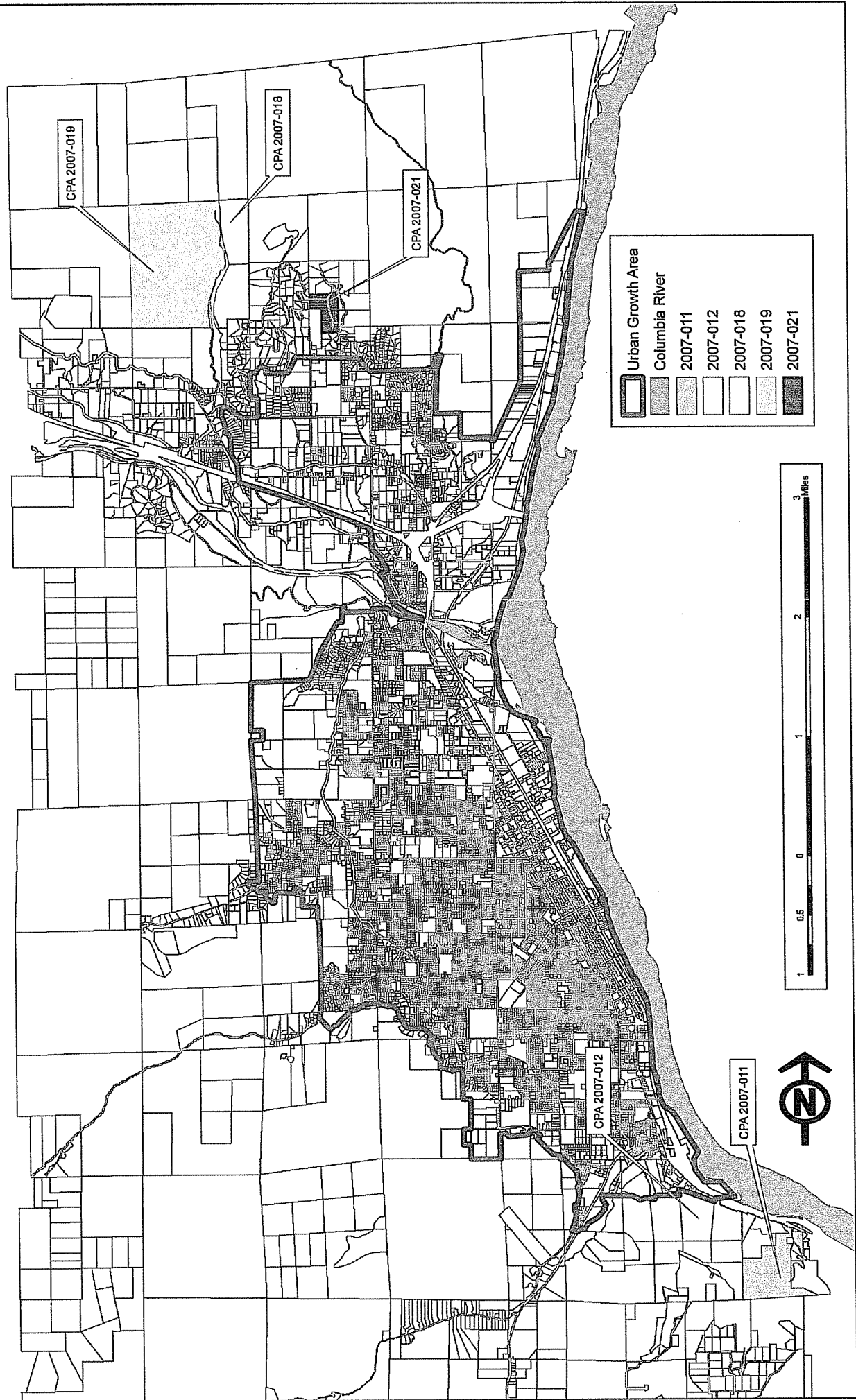
City of Wenatchee, a Municipal Corporation

By:   
DENNIS JOHNSON, Mayor

ATTEST:

By:   
VICKI REISTER, City Clerk

# CHELAN COUNTY COMP PLAN AMENDMENTS



**STATE OF WASHINGTON  
GROWTH MANAGEMENT HEARING BOARD  
FOR EASTERN WASHINGTON**

City of Wenatchee, a  
Washington Municipal  
Corporation

Petitioner

Case No. \_\_\_\_\_

vs.

PETITION FOR REVIEW

Chelan County, a  
political subdivision  
of the State of Washington  
Respondent

**1. PETITIONER**

1.1 Petitioner City of Wenatchee is an incorporated municipality situated in Chelan County, Washington with administrative offices located at

City Hall  
City of Wenatchee  
129 S. Chelan Avenue  
Wenatchee, WA 98801

1.2 For purposes of this action all correspondence shall be served on

Community Development Department  
City of Wenatchee  
25 N. Worthen Street  
P.O. Box 519  
Wenatchee, WA 98807-0519

Attn: Rick Smith, Director

Tel. (509) 664-5981  
Fax (509) 664-5986  
[rsmith@wenatcheewa.gov](mailto:rsmith@wenatcheewa.gov)

## 2. THE CHALLENGED ACTION

2.1 The City of Wenatchee is challenging five (5) Comprehensive Plan Amendments (CPAs) approved by the Chelan County Commission in March, 2008. More specifically, the amendments are CPA2007-11, CPA2007-12, CPA2007-18, CPA2007-19, CPA 2007-21.

Resolutions approving these actions were passed by the Chelan County Board of Commissioners on March 11, 18 and 25, 2008.

## 3. DETAILED STATEMENT OF THE ISSUES

3.1 Does Chelan County's approval of the five (5) Comp Plan amendments violate RCW 36.70A.115 by severely limiting the City of Wenatchee's ability to expand urban services to accommodate future housing and employment growth?

3.2 Does Chelan County's approval of the five (5) Comp Plan amendments violate Planning Goals as stated in RCW 36.70A.020 (1), (2), (3), (8), (10) and (12)?

3.3 Does Chelan County's approval of the five (5) Comp Plan amendments which would allow the location of unlimited numbers of cluster subdivisions directly adjacent to each other constitute "urban growth" per RCW 36.70A.030 (18) which would require the provision of "urban governmental services"?

3.4 Does Chelan County's approval of the five (5) Comp Plan amendments allowing clusters of homes and dedicated open space in close proximity to each other effectively blocking the future expansion of the Wenatchee Urban Growth Area violate RCW 36.70A.110 (3) (4) requiring that urban growth be located first in areas already characterized by urban growth and not expanding urban governmental services into rural areas?

3.5 Does Chelan County have adequate regulations and procedures in place to guarantee that cluster provisions for these five (5) GMA amendments will meet RCW 36.70A.177 requiring that they serve to "conserve agricultural lands and encourage the agricultural economy" and not just serve as a mechanism to concentrate homes in the geographically small relatively flat sections of otherwise rugged mountain terrain which is unsuitable for housing construction?

## 4. STANDING

4.1 The Petitioner has standing pursuant to RCW 36.70A.280 (2) (a) (b) as a City planning under the Growth Management Act and which presented testimony orally and in writing before the Chelan County Planning Commission and Board of County Commissioners in regards to the matter in which review is being requested.

5. ESTIMATED TIME REQUIRED FOR HEARING ON THE MERITS

5.1 Petitioner estimates that a hearing will take ½ (one half) day.

6. RELIEF SOUGHT

6.1 Petitioner requests that the Board rule the challenged five (5) amendments to the Chelan County Comprehensive Plan be found non-compliant with the GMA and that Chelan County be ordered to enter into a process pursuant to RCW 36.70A.210 with the City of Wenatchee to develop revised County-wide planning policies which will allow for the continued expansion of the UGA and urban services.

Petitioner has read the Petition for Review and believes the contents to be true.

Dated this 24<sup>th</sup> day of April, 2008.

  
DENNIS JOHNSON, Mayor  
CITY OF WENATCHEE

- Attachments:
1. Map of Chelan County Comprehensive Plan Amendments CPA 2007-011, 012, 018, 019, 021.
  2. Resolution 2008-56 approving CPA 2007-011
  3. Resolution 2008-57 approving CPA 2007-012
  4. Resolution 2008-62 approving CPA 2007-018
  5. Resolution 2008-63 approving CPA 2007-019
  6. Resolution 2008-49 approving CPA 2007-021